

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:23-CV-345-D

ENA MCPHERSON,

Plaintiff,

v.

EMPLOYMENT SOURCE, INC. d/b/a
SERVICESOURCE, INC.,

Defendant.

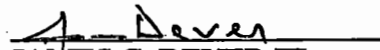
ORDER

On November 12, 2024, defendant moved for sanctions against plaintiff and her counsel for plaintiff's failure to appear at her September 2024 deposition [D.E. 32] and filed a memorandum in support [D.E. 33]. On November 26, 2024, plaintiff responded in opposition [D.E. 34], and asked that the court deny defendant's motion for sanctions and award plaintiffs attorney's fees.

The court has reviewed the record and governing law. Defendant's counsel did not notice the September 2024 deposition in sufficient time. Plaintiff's counsel appears to have been sandbagging defense counsel about the deposition. The court reopened discovery, and defense counsel deposed plaintiff in October.

The court DENIES defendant's motion for sanctions [D.E. 32] and plaintiff's request for attorney's fees [D.E. 33]. The entire episode described in the record reflects poorly on the lawyers for each party.

SO ORDERED. This 13 day of June, 2025.


JAMES C. DEVER III
United States District Judge